FOR 4 EXEMPT UNDER 44 U.S.C 3512

INTERNET FORM NLRB-501 (2-08)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE		
Case	Dave Filled	
05-CA-118567	12/06/13	

george.faraday@changetowin.

NSTRUCTIONS:	05-CA-11	8567 12/06/13		
ie an original with NLRB Regional Director for the region in whic				
	R AGAINST WHOM CHARGE IS BROUGH	<u>IT </u>		
a. Name of Employer		b. Tel. No. 240-497-3600		
McDonald's of Air and Space Museum		c. Cell No.		
		G. 5511/1/3		
	e. Employer Representative	f. Fax Nc.		
d. Address (Street, city, state, and ZIP code) 6th Street & Independence Ave	g. e-Mail			
Washington, DC 20560-0001	g. e-Man			
VVasilington, DO 20000-0001	1			
		 h. Number of workers employed 100 at this location 		
. Type of Establishment (factory, mine, wholesaler, etc.)	j. Identify principal product or service			
Restaurant	Fast food			
k. The above-named employer has engaged in and is engag	ing in unfair labor practices within the meaning o	of section 8(a), subsections (1) and (list		
subsections)	of the Nationa	Labor Relations Act, and these unfair labor		
practices are practices affecting commerce within the mea		re unfair practices affecting commerce		
within the meaning of the Act and the Postal Reorganizati	on Act			
Basis of the Charge (set forth a clear and concise statement)	ent of the facts constituting the alleged unfair lab	or practices)		
(b) (6), (b) (7)(C)				
3. Full name of party filing charge (if labor organization, give Good Jobs Nation	full name, including local name and number)			
4a. Address (Street and number, city, state, and ZIP code)		4b. Tel, No. 202.721.0660		
1900 L Street, NW, Ste 900				
Washington DC 20036		4c. Cell No. 240.478.2082		
		4d. Fax Nc. 202,721,0861		
		4e, e-Mail		
		george.faraday@changetowin		
5. Full name of national or International labor organization of	furbleh it in an official as seculitural with the base			
organization) n/a	William It is an animale of constituent diff in be a	ineo in when charge is liked by a labor		
6. DECLARATI	ON ints are true to the best of my knowledge and belief	Tel. No. 202.721.6083		
, G.W. Favaday G	eorge W. Faraday	Office, If an J, Cell No. 240.478 2082		
laskinancis or inchinaseutense or be <u>rsoom manudi roeule)</u>	(Prinviype name and title or office, if any)	Fax No. 202.721.0661		
	12/1/13	e-Mail		
1900 L St, NW, Ste 900, Washington DC 2	20036	george.faraday@changetowin.		

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principel use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or higation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

C-CASE DISPOSITION FORM

FROM: Joshua Rosenberg	DATE: _September 28, 2022		
CASE NAME: McDonald's Restaurants of the District of Columbia, Inc.			
CASE NUMBER: 05-CA-118567 SCOPE: Full Partial: IF PARTIAL, CATS			
allegations disposed			
allegations			
ramaining:			
DATE OF ISSUANCE OF DISMISSAL OR WITHDRAWAI	L OR DEFERRAL LETTER:		
DISMISSAL WINDOW	DEFERRAL WINDOW		
ADJUSTED: Yes No DISMISSAL LANGUAGE: Short form	□ COLLYER DEFERRAL: □ Written □ Verbal WILLINGNESS DATE: □ OTHER DEFERRAL: _ (specify)		
☐ Long form	DATE PROCESSING RESUMED:		
WITHDRAWAL WINDOW	SPIELBERG REVIEW WINDOW		
CONDITIONAL: Yes No SOLICITED: Yes No ADJUSTED: Yes No ORAL: Yes No	DATE REVIEW REQUESTED: PARTY REQUESTING REVIEW: Charging Party Charged Party Defer to Award		
IF ORAL, BY:	DETERMINATION: Defer to Award NOT Defer to Award		
ATE APPROVED BY RD: DETERMINATION DATE:			
BOARD SETTLEMENT WINDOW	CLOSING INFORMATION WINDOW		
	METHOD: Withdrawal, Adjusted METHOD: Withdrawal, NOT Adjusted Dismissal, Adjusted		
BOARD SETTLEMENT WINDOW PARTICIPATION: All Party Unilateral If unilateral, date of letter	METHOD: Withdrawal, Adjusted Withdrawal, NOT Adjusted Dismissal, Adjusted Dismissal, NOT Adjusted		
BOARD SETTLEMENT WINDOW PARTICIPATION: All Party Unilateral If unilateral, date of letter to parties proposing approval: Proposed Approval Date: Date Approved by RD:	Withdrawal, Adjusted METHOD: Withdrawal, NOT Adjusted Dismissal, Adjusted Dismissal, NOT Adjusted Before CNH TIMING: After CNH, Before hearing After CNH, After hearing opened		
BOARD SETTLEMENT WINDOW PARTICIPATION: All Party Unilateral If unilateral, date of letter to parties proposing approval: Proposed Approval Date:	Withdrawal, Adjusted METHOD: Withdrawal, NOT Adjusted Dismissal, Adjusted Dismissal, NOT Adjusted Before CNH TIMING: After CNH, Before hearing After CNH, After hearing opened After CNH, After hearing closed 3 to present evidence. On 12/19/13, the Charging		
BOARD SETTLEMENT WINDOW PARTICIPATION: All Party Unilateral If unilateral, date of letter to parties proposing approval: Proposed Approval Date: Date Approved by RD: EXPLANATION: The Charging Party was given a deadline of 12/19/1	Withdrawal, Adjusted METHOD: Withdrawal, NOT Adjusted Dismissal, Adjusted Dismissal, NOT Adjusted Before CNH TIMING: After CNH, Before hearing After CNH, After hearing opened After CNH, After hearing closed 3 to present evidence. On 12/19/13, the Charging		
BOARD SETTLEMENT WINDOW PARTICIPATION: All Party Unilateral If unilateral, date of letter to parties proposing approval: Proposed Approval Date: Date Approved by RD: EXPLANATION: The Charging Party was given a deadline of 12/19/1 Party chose to withdraw and re-file in January instead	Withdrawal, Adjusted METHOD: Withdrawal, NOT Adjusted Dismissal, Adjusted Dismissal, NOT Adjusted Before CNH TIMING: After CNH, Before hearing After CNH, After hearing opened After CNH, After hearing closed 3 to present evidence. On 12/19/13, the Charging		
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Revised 1/2005

December 6, 2013

BY FAX

NLRB, Region 5 Washington Resident Office

RE: Attached Unfair Labor Practice Charge

Dear Sir or Madam:

Please see the accompanying unfair labor practice charge against McDonald's of Air and Space Museum. The charge involves discriminatory reductions in work hours in retaliation against the protected activity of various employees at this location.

The following discriminatees named in the charge have indicated that they are available to give affidavits (b) (6), (b) (7)(C), as follows:



I strongly recommend that the Region makes every effort to accommodate this schedule, since developments in the underlying campaign and then the holiday season will likely it make it much harder to schedule alternative interview times until after the New Year.

This charge concerns allegations and facts closely related to those currently being investigated by Field Examiner Josh Rosenberg in OS-CA-11604. Much of the evidence submitted to the Region in that case is also relevant to the instant charge.

I will be representing Charging Party, Good Jobs Nation in this matter. Thank you for your attention.

Very truly yours, G.W. Faraday

George Faraday, Esq. 1900 L Street, NW, Ste 900 Washington DC 20036 202.721-6083 (desk)

240.478.2082 (cell)

george.faraday@changetowin.org

Data Entry Requirements for Injunction 10(j) Windows in NxGen

Injunction 10(j) Window:	Case Name:	Case Number:
Panel	Fields	Data Entry
Identification	Date Requested	
	Party Requesting	
	Sua Sponte	12/6/13
	Date Charged Party Notified	12/6/13 Dodiet (+1
Additional Comments:		

(b) (6), (b) (7)(C)					
CHARGE ASSIGNMENT SHEET (EMPLOYER)					
Case No.: 5- CA 118567 CASE NAME: McIbral Dis of Air and Space Mu					
DATE FILED: Le(13					
Potential 10(j)	8(a)(2) (indicated name of union):	I	discriminatees # of Employees (if not currently on charge)		
IO charge? Yes: □ No: 🂢		Dispute City: Weshington			
			Dispute State:		
COMMENTS: Sacra ER Atty	Sacoa Daniel P. Bordoni, Attorney at Law		Barg Status: □ Existing Contract □ Expired Contract □ Initial Contract □ None ○ Organizational Campaign □ Succeeding Contract		
SUPERVISOR:	MBK		AGENT: Rescourse		
S(a)(1) Coercive Actions (Surveillance, etc) Coercive Rules Coercive Statements (Threats, Promises of Benefits, etc.) Concerted Activities (Retaliation Discharge, Discipline) Denial of Access Discharge of supervisor (Parker-Robb Chevrolet) Interrogation (including Polling) Lawsuits Weingarten S(a)(2) Assistance Domination Unlawful Recognition		Changes in Terms and Conditions of Employment Discharge (including Layoff and Refusal to Hire) Discipline Refusal to Reinstate Employee/Striker Shutdown or Relocate/ Subcontract Unit Work 8(a)(5) Alter Ego Failure to Sign Agreement Refusal to Bargain/Bad Faith Bargaining (incl'g surface bargaining/direct dealing) Refusal to Furnish Information Refusal to Hire Majority Refusal to Recognize Repudiation/Modification of Contract[Sec 8(d)/Unilateral Changes			
			☐ Shutdown or Relocate (e.g. First National		
☐ Changes in Term ☐ Discharge (Include	8(a)(3) s and Conditions of Employme ding Layoff and Refusal to Hir alting)	ent	Maint.).Subcontract Work 8(e) □ All Allegations against a Labor Organization □ All Allegations against an Employer		
□ Refusal to Consid □ Refusal to Reinsta □ Retaliatory Laws	ocate/ Subcontract Unit Work	y)	200 fed Sr: Da 12/9/12		



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 5 BANK OF AMERICA CENTER, TOWER II 100 S. CHARLES STREET, STE 600 BALTIMORE, MD 21201

Agency Website: www.nlrb.gov Telephone: (410)962-2822 Fax: (410)962-2198

December 11, 2013

Daniel P. Bordoni, Esq. Morgan, Lewis & Bockius, LLP 1111 Pennsylvania Ave., N.W. Washington, DC 20004-2541

Re: McDonald's of Air and Space Museum

Case 05-CA-118567

Dear Mr. Bordoni:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Joshua D. Rosenberg whose telephone number is (202) 208-3053. The mailing address is 1099 14th St., N.W., Suite 6300, Washington, DC 20570-0001. If Joshua D. Rosenberg is not available, you may contact Resident Officer Mark B. Kalaris whose telephone number is (202) 208-3076.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly. Due to the nature of the allegations in the enclosed unfair labor practice charge, we have identified this case as one in which injunctive relief pursuant to Section 10(j) of the Act may be appropriate. Therefore, in addition to investigating the merits of the unfair labor practice allegations, the Board agent will also inquire into those factors relevant to making a determination as to whether or not 10(j) injunctive relief is appropriate in this case. Accordingly, please include your position on the appropriateness of Section 10(j) relief when you submit your evidence relevant to the investigation.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, <u>www.nlrb.gov</u>. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Naga R gold

Wayne R. Gold Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

cc: See Page 3

cc:

(b) (6), (b) (7)(C)
McDonald's of Air and Space Museum 6th St. and Independence Ave.
Washington, DC 20560-0001

Revised 3/21/2011	NATIONAL LABOR RELA	ATIONS	BOARD				
QU	ESTIONNAIRE ON COMMER	CE IN	FORMATION				
Please read carefully, answer all applicable iter	ms, and return to the NLRB Office. If additi	onal spac	e is required, please add a page	and identify i	tem numbe	r.	
CASE NAME CASE NUMBER							
McDonald's of Air and Space				05-CA-1	18567		_
1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in lega	I docume	ents forming entity)				
2. TYPE OF ENTITY							
[] CORPORATION [] LLC [] L	LP [] PARTNERSHIP [] SOI	E PROPI	RIETORSHIP [] OTHER	(Specify)			
3. IF A CORPORATION or LLC A. STATE OF INCORPORATION	B. NAME, ADDRESS, AND RELATION	NSHID	(a.g. parent subsidiagy) OF ALI	DELATED	ENTITIES	2	
OR FORMATION	B. NAIVIE, ADDRESS, AND RELATION	JNSHIP	(e.g. parent, subsidiary) Or ALI	LKELATED	ENTITIE	•	
A TEAN LLCOD ANY TYPE OF BART	NEDSHID FULL NAME AND ADDD	EGG OF	ALL MEMBERS OF BARTA	EDC			
4. IF AN LLC OR ANY TYPE OF PART	NERSHIP, FULL NAME AND ADDR	E55 UF .	ALL MEMBERS OR PARTN	EKS			
5. IF A SOLE PROPRIETORSHIP, FUL	L NAME AND ADDRESS OF PROPR	IETOR					
A DRIEFI W DESCRIBE THE WATER	OF VOUR OPERATIONS (B. 1.4.1	77 1			7)		
6. BRIEFLY DESCRIBE THE NATURE	OF YOUR OPERATIONS (Products I	anatea oi	r manufacturea, or nature of ser	vices perjorn	nea).		
7. A. PRINCIPAL LOCATION:	B. BRANCH LO	OCATIO:	NS:				
8. NUMBER OF PEOPLE PRESENTLY	EMPLOYED						
A. Total:	B. At the address involved in this						
9. DURING THE MOST RECENT (Chec	ck appropriate box): [] CALENDAR Y	R []1	2 MONTHS or [] FISCAL	YR (FY da	ites	N/EC)
A. Did you provide services valued in o	excess of \$50,000 directly to custome	ers outsic	le your State? If no, indicate	e actual vali	ne.	YES	NO
\$	50 SA 5750						
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods							
valued in excess of \$50,000 from dir \$	rectly outside your State? If no, indic	cate the	value of any such services	s you prov	rided.		
C. If you answered no to 9A and 9B, did	you provide services valued in exce	ess of \$5	0.000 to public utilities, tran	sit systems.		/ 60	X
newspapers, health care institutions,	broadcasting stations, commercial bu						
less than \$50,000, indicate amount.		. 1	11 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	50,000 1 1	• Sanatan	2 80	
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$							
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who							
purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.							
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate							
amount. \$							
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points							
outside your State? If less than \$50,000, indicate amount. \$ H. Gross Revenues from all sales or performance of services (Check the largest amount)							
[] \$100,000 [] \$250,000 [] \$500,000 [] \$1,000,000 or more If less than \$100,000, indicate amount.							
I. Did you begin operations within the last 12 months? If yes, specify date:							
10 ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?							
[] YES [] NO (If yes, name and address of association or group).							
11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS							
NAME TITLE E-MAIL ADDRESS TEL. NUMBER							
12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE							
NAME AND TITLE (Type or Print) SIGNATURE E-MAIL ADDRESS DATE							

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

MCDONALD'S OF AIR AND SPACE MUSE Charged Party and GOOD JOBS NATION Charging Party	Cum Case 05-CA-118567			
AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER I, the undersigned employee of the National Labor Relations Board, state under oath that on December 11, 2013, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:				
(b) (6), (b) (7)(C) McDonald's of Air and Space Museum 6th St. and Independence Ave. Washington, DC 20560-0001				
Daniel P. Bordoni, Esq. Morgan, Lewis & Bockius, LLP 1111 Pennsylvania Ave., N.W. Washington, DC 20004-2541				
December 11, 2013 Date	Andrew Giannasi, Designated Agent of NLRB Name			

/s/ Andrew Giannasi

Signature



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 5 BANK OF AMERICA CENTER, TOWER II 100 S. CHARLES STREET, STE 600 BALTIMORE, MD 21201

Agency Website: www.nlrb.gov Telephone: (410)962-2822 Fax: (410)962-2198

December 11, 2013

George Faraday, Esq. Good Jobs Nation 1900 L St., N.W., Suite 900 Washington, DC 20036

Re: McDonald's of Air and Space Museum

Case 05-CA-118567

Dear Mr. Faraday:

The charge that you filed in this case on December 06, 2013 has been docketed as case number 05-CA-118567. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Joshua D. Rosenberg whose telephone number is (202) 208-3053. The mailing address is 1099 14th St., N.W., Suite 6300, Washington, DC 20570-0001. If Joshua D. Rosenberg is not available, you may contact Resident Officer Mark B. Kalaris whose telephone number is (202) 208-3076.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlrb.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlrb.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Wayne R. Gold Regional Director

Naga R gold

Enclosure: Copy of Charge

cc: Good Jobs Nation

1900 L St., N.W., Suite 900 Washington, DC 20036

From: Rosenberg, Joshua D.

To: "dbordoni@morganlewis.com"

Subject: New McDonald"s Charge

Date: Thursday, December 12, 2013 12:15:03 PM

Attachments: <u>image001.jpg</u>

CHG.05-CA-118567.New McDonalds Charge.pdf

Hi Mr. Bordoni,

Attached is the electronic copy you requested. With respect to the additional evidence I requested in my voicemail, it pertains to the previous charge, Case 05-CA-114604. I will be available for the next 30 minutes if you'd like to discuss.

Regards,

Josh Rosenberg
Board Agent, Region 5

National Labor Relations Board
Washington, D.C. Resident Office

(202) 208-3053



From: Rosenberg, Joshua D.

To: "George Faraday"

Subject: Deadline for Case 05-CA-118567

Date: Thursday, December 12, 2013 7:01:21 PM

Attachments: <u>image001.jpg</u>

LTR 05-CA-118567.Deadline Letter for Evidence in New Charge.pdf

Importance: High

Dear Dr. Faraday,

Please see the attached letter. Feel free to call me if you have any questions.

Regarding the voicemail you left earlier regarding (b) (6), (b) (7)(C) the allegation would most appropriately be handled in a separate charge. For Case 05-CA-114604, we would also appreciate additional pay stub evidence from your witnesses.

Regards,

Josh Rosenberg Board Agent, Region 5

National Labor Relations Board
Washington, D.C. Resident Office

(202) 208-3053





United States Government

NATIONAL LABOR RELATIONS BOARD

Region 5 1099 14th Street NW, Suite 6300 Washington, DC 20570

Joshua Rosenberg Telephone: (202) 208-3053 Facsimile: (202) 208-3013

December 12, 2013

VIA E-MAIL

George Faraday
Policy Director, Change to Win
1900 L Street, NW, Suite 900
Washington, DC 20036
george.faraday@changetowin.org

Re: McDonald's Restaurants of the District of

Columbia, Inc. 05-CA-118567

Dear Dr. Faraday:

This message is to provide a final opportunity to fully cooperate in the above investigation. On December 6, 2013, you filed the above charge. The following witnesses are named in the charge as discriminatees: (b) (6), (b) (7)(C)

Region proposed several dates on which the aforementioned witnesses could be interviewed. By phone on December 11, 2013, you indicated that it was unlikely that all of the witnesses could provide affidavits by the requested dates. Many of your preferred dates had already been reserved for your witnesses in Case 05-CA-114604. When I proposed alternative dates during the week of December 16, you requested to have until about January 10, 2013 to present the witnesses.

As the representative who filed the charge, it is your responsibility to ensure that witnesses in connection with this case meet with the Board agent in a timely manner to provide sworn affidavits. Section 10054.1 of the Unfair Labor Practice manual makes clear that charging parties are responsible for complying with the Board agent's reasonable requests to schedule witnesses. If you do not present all of the aforementioned witnesses, as well as all other evidence, by **Thursday, December 19, 2013**, this may result in a decision to dismiss the charge for failure to cooperate.

Sincerely,

7

Joshua Rosenberg Field Examiner

(b) (6), (b) (7)(C)

CHECK NO: (b) (6), (b) (7)(C) PAY DATE: EMPLOYEE #: STORE: 26266

FED TAX #/EIN:

FED TAX MARITAL STATUS: (6) (6), (b) (7)(6)

EXEMPTIONS: FEDERAL: STATE(DC):

QUESTIONS? CALL 1-877-623-1955

---- THIS PERIOD -----HOURS AMOUNT

---- YEAR-TO-DATE ----

EARNINGS OVERTIME PAY REGULAR PAY

HOURS

GRUSS PAY

STATUTORY DEDUCTIONS

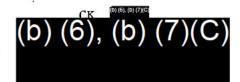
(b) (6), (b) (7)(C) EE-PD MEDICARE

EE-PD SOCIAL SECURITY

(b) (6), (b) (7)(C)

NET PAY

FEDERAL TAXABLE WAGES



CHECK NO: (b) (6), (b) (7)(C) PAY DATE:

EMPLOYEE # STORE: 26266

FED TAX #/EIN: (b) (6), (b) (7)(C) FED TAX MARITAL STATUS: (6)(6).(6).(7)(C)

EXEMPTIONS:

FEDERAL: STATE(DC):

OUESTIONS? CALL 1-877-623-1955 OD ---- YEAR-TO-DATE ----

HOURS

(b) (6), (b) (7)(C)

---- THIS PERIOD -----

AMOUNT

EARNINGS

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QUESTIONS? CALL 1-877-623-1955

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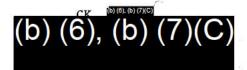
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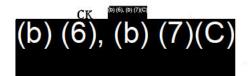
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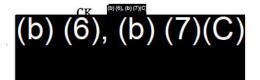
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QUESTIONS? CALL 1-877-623-1955

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FEDERAL TAXABLE WAGES

From: Rosenberg, Joshua D.

To: "George Faraday"

Subject: RE: Deadline for Case 05-CA-118567

Date: Thursday, December 19, 2013 5:22:00 PM

Attachments: <u>image002.jpg</u>

image003.jpg

Thank you. We will process your withdrawal request.

Board Agent, Region 5

Josh Rosenberg

National Labor Relations Board
Washington, D.C. Resident Office

(202) 208-3053



From: George Faraday [mailto:george.faraday@changetowin.org]

Sent: Thursday, December 19, 2013 4:35 PM

To: Rosenberg, Joshua D.

Subject: RE: Deadline for Case 05-CA-118567

Dear Mr. Rosenberg:

I can confirm that, given the difficulty of scheduling witnesses within the one-week period the Region made available, we will withdraw this charge. We expect to refile in the New Year.

Thank you,

George Faraday Policy Director, Change to Win 1900 L Street, NW, Suite 900 Washington, DC 20036

george.faraday@changetowin.org

202-721-6083 (desk) 240-478-2082 (cell)

From: Rosenberg, Joshua D. [mailto:Joshua.Rosenberg@nlrb.gov]

Sent: Thursday, December 12, 2013 7:00 PM

To: George Faraday

Subject: Deadline for Case 05-CA-118567

Importance: High

Dear Dr. Faraday,

Please see the attached letter. Feel free to call me if you have any questions.

Regarding the voicemail you left earlier regarding (b) (6), (b) (7)(C), the allegation would most appropriately be handled in a separate charge. For Case 05-CA-114604, we would also appreciate additional pay stub evidence from your witnesses.

Regards,

Board Agent, Region 5

Josh Rosenberg

National Labor Relations Board
Washington, D.C. Resident Office

(202) 208-3053



From:Bordoni, Daniel P.To:Rosenberg, Joshua D.Subject:RE: New McDonald"s Charge

Date: Friday, December 20, 2013 1:07:14 PM

Attachments: <u>image001.jpg</u>

Josh,

I will be in touch later this afternoon. Thanks.

Dan

Daniel P. Bordoni

Morgan, Lewis & Bockius LLP

1111 Pennsylvania Avenue, NW | Washington, DC 20004 Direct: 202.739.5249 | Main: 202.739.3000 | Fax: 202.739.3001

dbordoni@morganlewis.com | www.morganlewis.com

(b) (6), (b) (7)(C)

IRS Circular 230 Disclosure

To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein. For information about why we are required to include this legend in emails, please see http://www.morganlewis.com/circular230

From: Rosenberg, Joshua D. [mailto:Joshua.Rosenberg@nlrb.gov]

Sent: Friday, December 20, 2013 11:13 AM

To: Bordoni, Daniel P.

Subject: RE: New McDonald's Charge

Thank you. Please keep me updated on whether the Employer can furnish the documents we discussed yesterday.

Board Agent, Region 5

, Josh Rosenberg

National Labor Relations Board
Washington, D.C. Resident Office

(202) 208-3053



From: Bordoni, Daniel P. [mailto:dbordoni@morganlewis.com]

Sent: Thursday, December 19, 2013 6:24 PM

To: Rosenberg, Joshua D.

Subject: RE: New McDonald's Charge

John,

See attached. A hard copy is in the mail.

Dan

Daniel P. Bordoni

Morgan, Lewis & Bockius LLP

1111 Pennsylvania Avenue, NW | Washington, DC 20004 Direct: 202.739.5249 | Main: 202.739.3000 | Fax: 202.739.3001

dbordoni@morganlewis.com | www.morganlewis.com

(b) (6), (b) (7)(C)

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From: Rosenberg, Joshua D. [mailto:Joshua.Rosenberg@nlrb.gov]

Sent: Wednesday, December 18, 2013 11:05 AM

To: Bordoni, Daniel P.

Subject: RE: New McDonald's Charge

Thank you.

Board Agent, Region 5

, Josh Rosenberg

National Labor Relations Board
Washington, D.C. Resident Office

(202) 208-3053



From: Bordoni, Daniel P. [mailto:dbordoni@morganlewis.com]

Sent: Wednesday, December 18, 2013 11:04 AM

To: Rosenberg, Joshua D.

Subject: RE: New McDonald's Charge

Josh,

As an update, I still am gathering the updated hours information requested by the Region. I hope to have that information to you tomorrow. Thanks.

Dan

Daniel P. Bordoni

Morgan, Lewis & Bockius

1111 Pennsylvania Avenue, NW | Washington, DC 20004 Direct: 202.739.5249 | Main: 202.739.3000 | Fax: 202.739.3001

dbordoni@morganlewis.com | www.morganlewis.com

(b) (6), (b) (7)(C)

IRS Circular 230 Disclosure

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From: Rosenberg, Joshua D. [mailto:Joshua.Rosenberg@nlrb.gov]

Sent: Thursday, December 12, 2013 7:16 PM

To: Bordoni, Daniel P.

Subject: RE: New McDonald's Charge

We would prefer the data for all of the employees, with those from (b) (6), (b) (7)(C) separated for convenience.

Josh Rosenberg

Board Agent Region 5

Board Agent, Region 5
National Labor Relations Board
Washington, D.C. Resident Office
(202) 208-3053





From: Bordoni, Daniel P. [mailto:dbordoni@morganlewis.com]

Sent: Thursday, December 12, 2013 7:01 PM

To: Rosenberg, Joshua D.

Subject: Re: New McDonald's Charge

Not a problem. Just the individuals in the (b) (6), (b) (7)(C) area you mentioned in your voicemail, correct?

Daniel P. Bordoni

24...5...

Morgan, Lewis & Bockius LLP

1111 Pennsylvania Ave., NW | Washington, D.C. 20004-2541

Direct: 202.739.5249 | Fax: 202.739.3001

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From: Rosenberg, Joshua D. [mailto:Joshua.Rosenberg@nlrb.gov] **Sent**: Thursday, December 12, 2013 06:53 PM Eastern Standard Time

To: Bordoni, Daniel P.

Subject: RE: New McDonald's Charge

Thank you. Again, sorry to piecemeal this—but we are also going to want the monthly employee hour averages through the present. Your evidence only has them through October 2013.

Board Agent, Region 5

. Josh Rosenberg

National Labor Relations Board
Washington, D.C. Resident Office

(202) 208-3053



From: Bordoni, Daniel P. [mailto:dbordoni@morganlewis.com]

Sent: Thursday, December 12, 2013 2:23 PM

To: Rosenberg, Joshua D.

Subject: RE: New McDonald's Charge

Thanks, Josh. I'll be in touch with the additional information related to 05-CA-114604.

Dan

Daniel P. Bordoni

Morgan, Lewis & Bockius LLP

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(b) (6), (b) (7)(C)

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From: Rosenberg, Joshua D. [mailto:Joshua.Rosenberg@nlrb.gov]

Sent: Thursday, December 12, 2013 12:14 PM

To: Bordoni, Daniel P.

Subject: New McDonald's Charge

Hi Mr. Bordoni,

Attached is the electronic copy you requested. With respect to the additional evidence I requested in my voicemail, it pertains to the previous charge, Case 05-CA-114604. I will be available for the next 30 minutes if you'd like to discuss.

Regards,

Josh Rosenberg

Board Agent, Region 5

National Labor Relations Board

Washington, D.C. Resident Office
(202) 208-3053



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UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

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December 31, 2013

Daniel P. Bordoni, Esq. Morgan, Lewis & Bockius, LLP 1111 Pennsylvania Avenue, N.W. Washington, DC 20004-2541

Re: McDonald's Restaurants of the District of

Columbia, Inc.

Case 05-CA-118567

Dear Mr. Bordoni:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

1st Steven L. Shuster

Steven L. Shuster Acting Regional Director

cc: (b) (6), (b) (7)(C)

McDonald's of Air and Space Museum 6th Street and Independence Avenue Washington, DC 20560-0001

George Faraday, Esq. Good Jobs Nation 1900 L Street, N.W., Suite 900 Washington, DC 20036

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